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AMENDMENT TO APPEAL BRIEF

Applicant	: Don Kennard	<div>CERTIFICATE OF EFS WEB TRANSMISSION</div> <div>I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:</div> <div>7-19-2010</div> <div>(Date)</div> <div>/Rabinder N. Narula/</div> <div>Rabinder N. Narula, Reg. No. 53,371</div>
App. No	: 10/691,470	
Filed	: October 22, 2003	
For	: IMMEDIATE PROVISIONAL IMPLANT	
Examiner	: Singh, Sunil K.	
Art Unit	: 3732	

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed July 19, 2010, Applicant submits this Amendment to the Appeal Brief. A correct copy of the appealed claims is attached hereto as Appendix I.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 19, 2010

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I. CLAIMS APPENDIX

1-38. (Canceled)

39. An immediate provisional dental implant elongated along an implant axis, comprising:

an abutment adapted to bond with a dental prosthesis;

a bendable neck segment connected to the abutment;

a body segment connected to the flexible neck segment, the body segment having threads extending helically about the implant axis, the thread diameter tapering non-linearly from a maximum adjacent the neck segment to a minimum at a distal end;

a torque engagement segment positioned below the flexible neck segment and above the body segment, said torque segment configured to engage a torque-imparting tool, said torque segment comprising at least one flat surface on an outer surface of the torque segment;

wherein the abutment, bendable neck segment, body segment and torque engagement segment form a monolithic structure and the bendable neck segment is sufficiently bendable such that while the body segment is positioned within a patient's jawbone the bendable neck segment can be bent to adjust the angle of the abutment.

40. The immediate provisional dental implant of Claim 39, wherein the threaded body segment comprises an upper flared section proximal to the neck segment, an intermediate section and a tapered lower section distal from the neck segment, the lower section having a smaller angle of taper as compared to the upper section.

41. The immediate provisional dental implant of Claim 40, wherein threads of the upper flared section define a taper angle between about 6° and 14°.

42. The immediate provisional dental implant of Claim 40, wherein thread of the tapered lower section define a taper angle between about 3° and 7°.

43. The immediate provisional dental implant of Claim 40, wherein the neck segment is more narrow than both of the upper flared section of the body segment and the abutment.

44. The immediate provisional dental implant of Claim 40, wherein threads of the intermediate section have a constant diameter.

45. The immediate provisional dental implant of Claim 39, wherein the thread diameter is within the range of about 1.0 mm and 3.5 mm.

46. The immediate provisional dental implant of Claim 39, wherein the thread diameter is within the range of about 1.0 mm and 3.0 mm.

47. The immediate provisional dental implant of Claim 39, wherein the body segment is at least about 12 mm in length.

48. The immediate provisional dental implant of Claim 39, wherein a length of the body segment is approximately equal to the thickness of the cortical layer of the bone in which the implant is to be emplaced.

49. The immediate provisional dental implant of Claim 39, wherein the neck segment and abutment form an extension from the body segment with a length of greater than about 3 mm.

50. The immediate provisional dental implant of Claim 49, wherein the neck segment and abutment form an extension from the body segment with a length of greater than about 5 mm.

51. The immediate provisional dental implant of Claim 39, having a total length along the implant axis of greater than 17 mm.

52. The immediate provisional dental implant of Claim 51, having a total length along the implant axis of greater than 20 mm.

53. The immediate provisional dental implant of Claim 39, having a thread depth tapering from a maximum thread depth adjacent the neck segment to a minimum thread depth adjacent the distal end.

54. The immediate provisional dental implant of Claim 53, wherein the maximum thread depth is between about 0.5 mm and 0.7 mm.

55. The immediate provisional dental implant of Claim 53, wherein a thread pitch of the body segment is in the range 0.8 mm to 1.8 mm.

56. The immediate provisional dental implant of Claim 39, comprising a plurality of flat facets on the outer surface of the neck segment.

57. The immediate provisional dental implant of Claim 39, consisting a material selected from the group consisting of titanium and alloys of titanium.

58-61. (Canceled)

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62. The immediate provisional dental implant of Claim 39, wherein said torque engagement segment further comprises a plurality of flat surfaces configured to engage a wrench.

63-69. (Canceled)

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